

1871-009 Chancery Causes: William Riley vs. George R. Fletcher &
Lee Co.

Jeff. Pridemore

CA - Debt
T - Property

To the Honorable Henry J. Morgan Judge of the
County Court of Lee County - Your orator
William Riley humbly complaining sheweth unto
your Honor, one George R. Fletcher, is indebted
to him in the sum of (\$160:) one hundred and
sixty dollars, which was due and payable
on the 18th day of June 1863, and which said ~~note~~
was due by note or bond executed ~~some time~~ in
the year 1862, and was then delivered to your
orator - This note or bond, and every part thereof
is still due & owing to your orator from the
said Fletcher, but your orator cannot
produce said note or bond or be more
particular in its description, because on
the 16th day of February 1863, the said Fletcher
met your orator at the house of One Albert
Overtons in Hancock County Tennessee, and then
and there representing to your orator, that
the said Fletcher desired, to pay your
orator said sum of money, asked your
orator for said note or bond not then sus-
pecting his motives, your orator handed him
the same, and he then and there tore, mutilated
and ruined the said note up, the said
Fletcher was then surrounded with soldiers who
was favorable to his designs, and your orator
was powerless to resist the encroachments of
his rights as aforesaid, of all this satis-
factory proof will in due time be made
Your orator further states the said Fletcher
about the ~~day~~ ^{for} of 186³. Was in-
debted to your orator, about ~~one~~ ^{for} half of a box
of tobacco of the value of \$50. for which
he has never paid your orator one cent

Your orator was a merchant, and had a store near Mulberry Gap. where the said tobacco was, and the said Fletcher went there and received from ^{from your orator's clerk at} said store the said tobacco.

The said Fletcher has now removed from this Commonwealth and resides in the State of Texas. but he alleges that he has estate and effects due him the County of, he alleges that one Jefferson Meff is indebted to him in the sum of \$, and the same will be come due & payable on the day of 187 .

The object of this bill therefore is to obtain a decree against the said George R. Fletcher for the amount of the note aforesaid and also for the sum of \$ The price of the tobacco aforesaid, and to have attached & subject to the payment of your orator's claim as aforesaid the debt due from the said Jefferson Meff. as aforesaid - and to enjoin the said Meff from paying over any amount in his hands due from ~~him~~ to the said Fletcher his agent or attorney - until the further order of the Court. And for all such other further & general relief as your orator may in equity be entitled May summons issue &c.

Hagan & Pickens

William Riley

Bill Chy
vs on foreign attak

George P. Litcher
et

1871 June. Bill. O.P. & contd

" ~~Bill of Contd. Keffers could~~
for O.P. vs. Litcher.

" March 1871. Contd. Litcher vs. Keffers
as to him & contd. for O.P. vs. Litcher.

" March 1871. Litcher vs. Keffers
filed in Cont. Litcher vs. Keffers
leave of Court & security for costs.

" April 1871. Litcher vs. Keffers
to Litcher vs. Keffers & cause set for hear-
ing by the Plaintiff.

" April & May continued
June & July "

" Aug. Dec. final.

L. 7.05
A. 18.00
S. .50
Pr. 5.00
27.55

William Riley

vs
J. R. Stephens & J. Voss } Sent on am
} city court
} Lee County
} Virginia

Now comes the Defendant J. R.
Fletcher and for answer says
denies all and singular the
allegation in Plaintiffs Petition
and says that the transaction
took place in Hancock County
Tennessee says that the note
spoken of in Plaintiffs petition
was ~~given~~ ^{to be disbursed in Confederate money} for Confederate mo-
ney, the note was given in the
Spring of 1863 before the Federals
took possession of Cumberland
Gap. Defendant alleges that the
note spoken of in Plaintiffs petition
was given for ~~that~~ payment on
the serial bond of tobacco spoken
of in Plaintiffs petition & further
says that he paid for part of
the bond of tobacco at the time of
purchase the sum of \$150 dollars
in Confederate money & made
a tender of the money for the
note in Confederate about the
time of the evacuation of the place

Money by My Wife at the place and
Time according to contract

G. R. Fletcher

I solemnly subscribed to before
me this March 8th 1871,

R. L. White J. D.
Cotton County
State of Texas

This is to certify that the above
named R. L. White is an acting justice
of the Peace in and for the County of
Cotton & State of Texas

In Witness whereof I hereunto set
my Hand & Seal of office this
8th day of March A. D. 1871

J. M. Brown Clerk of the
Co. Comm. Secy

G. R. Fletcher.

add 3 answers.

William. Riley.

deems
society for costs

G. R. Fletcher }
vs } In Chancery.
William Riley }

The said Deft says that the Compt. Bill
in case the same were true, which this Deft does
no wise admit, contains not any matter of Equity, whereon
the Count can ground any decree, or give the Compt
any relief, & therefore the Deft demurs to said Bill, &
prays the judgement of the Court, if he shall be compelled
to answer the same further, & that he be dismissed hence
with his reasonable Costs.

Done for deft.

G. N. Fletcher.

ad 1 } Donor. to Bill

William Riley.

~~William Riley~~
March 1871.

Mr. Riley }
George R. Fletcher } Ex Chancery.

This cause came on to be heard
this the 26th day of August 1871, upon the
Bill, answer, & depositions, and was argued
by Counsel, and by Consent of the Plffs and
Defts Counsel, the following decree was
rendered; that is to say, it is adjudged, ordered
and decreed that the Plff - recover of the Deft.
the sum of Twenty one Dollars, and Thirty Three.
& one third cents, with interest from the 18th June
1863, and the Costs of this suit; and it appearing
that the Deft Cheff is ~~entitled~~ entitled to the said
Fletcher, in a greater amount, than the sum decreed,
against his co-Deft, it is adjudged, ordered & decreed
that the said Cheff, pay the Plff, the said
sum of \$21.33 $\frac{1}{3}$ with interest as aforesaid, and
the Costs of this suit, and when so paid the
same shall be allowed, by the said Fletcher
to the said Cheff, as a credit upon the sum
due, from the latter, to the former; but the
Plff shall not be entitled to the benefit of
this decree, until he shall have executed
bond, with security, before the Clerk of this
Court, in the sum of \$45.00, pursuant.

to the 24th Dec. 1861, the 157. ch of the Code of
Virginia, 1860, and this course is thickened
from the docket.

Mr. Riley.

VI

George R. Fletcher

Deere.

August 1871.

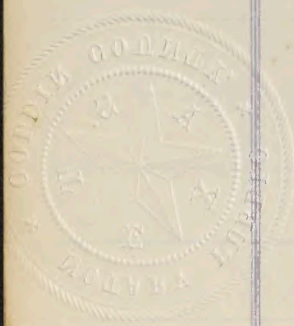
Entered O.B. p 356.

State of Texas,
Harris County,

I R. C. White a Notary
Public in and for Galveston
County & State of Texas by virtue of
a Commission to me directed from
the Chancery Court of Lee County
State of Virginia do a suit now
pending wherein William Riley is plaintiff
off and George R. Hatcher is Defendant
have caused the said George R. Hatcher
to ~~come~~ before the witness in
said Commission to come before
me and after being duly sworn
to true answers to make to the
interrogatories accompanying said Commission
the said witness answering
therein says

I did on or about the month of
June 1863. purchase of William Riley
a Box of Tobacco a very common
article about third rate tobacco,
which tobacco before the war would
have been worth about 25 or 30^{cts}
per lb by the Box, for which I
agreed to give him three dollars
per hundred in Confederate money,
which amounted to three hundred &
two dollars

for which I paid him Riley one hundred & fifty dollars in Confederate money down the remainder of one hundred & sixty dollars he drew up a note for according to the way of taking notes for dollars and I refused to sign the note told him that our contract was for Confederate money he stated that he was selling his tobacco for Confederate money and did not expect any other kind of money if paid in a reasonable time I then signed the note. This trade was made at Milton Riley's dwelling house in Hancock County, Georgia in the presence of his Riley family and Riley himself delivered the tobacco to me and if Riley had any store house or any clerk but himself. I never heard of it before ^{as} to the half bar of tobacco that he Riley speaks of I have never seen nor smell any such bar of tobacco from Milton Riley or nor of his clerk I have had ~~any~~ ^{no} transaction with Milton Riley during the war but the one time & that was the transaction that I



have just been examined upon &
have stated all the facts about
the same, nor have I at any time
had any communication with him
Pulley asked me I never knew
that Pulley had any secret
I made a timeline of the money through
my wife ~~about~~ at the place at Philip
House when I purchased the tobacco
my ^{wife} ~~saw~~ that Pulley's daughter said that
~~her~~ ^{she} Father had violated the law, not
seen the Confederate money of J.
R. Fletcher sent it, but a younger
daughter persuaded her to send
the money as it was the common
belief. Her father & Mr. Fletcher
knew she would not send the money
this occurred about the time that the
Federals took possession of Antietam
and Gap the first time after
the Federals had recaptured the Gap
about the first of February 1864.
Myself & John Molinberg were together
and met with Mr. Pulley at Mr. Carter
House in Newcastle County, Delaware
I called on William Pulley for my
note he gave me the note I told
him then that I had sent him the
Confederate money according to the

Contract & he said that he knew of
 I ask him why he did not take
 the money & he said that the House
 also had possession of Laramie &
 that it was worthless at that
 time, I stated to William Riley that
 he probably considered confidential
 money as worthless, & he Riley said
 that the money might be worth
 something yet G. R. Fletcher

State of Texas }
 Tarrant County } I R. C. White stating
 } Public in and for said
 } County do hereby certify
 That the facts by me stated as aforesaid
 are true, and that the foregoing annex
 were by the said G. R. Fletcher
 sworn and subscribed to before me
 in and under my hand & seal of
 Office in the Town of Waco,
 on this the 15th day of May 1871

R. C. White stating
 Public Notary

George R. Fletcher

advs. Deposition

William Riley

Received by Hall sealed,
and filed May 27th 1871.

James W. Orr, clk.

Mr. William Riley

You will take notice that
on Monday the 15th day of May 1871 at the Court House
in McKinney, Collin County Texas, I will give my own
deposition, to be read as evidence on my behalf
upon the hearing of a suit in Chancery, now pending
in the County Court of Lee County Virginia, wherein
You are Plaintiff and I and Jefferson Keff are Defs.
If said deposition is not completed on that day, I will
adjourn from time to time, and from place to place, until
I shall have finished. April 6th 1871.

George R. Fletcher & al.

George R. Fletcher

To { Notice.

William Riley.

I accept the legal
service of of the within
~~document~~ - spirit

8th 1871 William Riley
by Sagan & Pridmore
attys -

The Commonwealth of Virginia:

To any Justice of the Peace, Notary Public, or Commissioner, appointed by the Governor of said State, resident in the State of *Texas* authorized to take depositions in the county of *Callin* in the State of *Texas*

GREETING:—

know ye, that we, trusting to your fidelity and provident circumspection, do require you, that at such time and places as you shall appoint, to call and cause to come before you *George R Fletcher*

a witness on behalf of *himself*

in a certain *suit in Chancery*

depending in the *County* Court of Lee County between

plaintiff and

Fletcher et al

defendants

and *him* diligently examine touching the same in solemn form, on oath or affirmation, and having received *his* examination as aforesaid, that you distinctly, plainly and without delay, certify and sign, and send the same enclosed into our said Court, together with this writ.

Witness, *James W Orr* ~~HENRY J. MORGAN~~, Clerk of our said Court, at the Court-house this *8th* day of *April* 18*81*, in the *95th* year of the Commonwealth.

James W Orr Clerk.

I do solemnly swear that

George R. Fletcher

whose name *is* mentioned as witness in the commission *above* is a non-resident of the State of Virginia. So help me God.

M. D. Lane

Sworn to before me this

8th day of *April* 18*81*.

James W Orr Clerk.

George R. Fletcher
— et al
ads } Commission
William Riley

Virginia Lee County to wit
This day A. L. Pickens personally
appeared before me and made oath
that, George R. Fletcher according to
his information and belief, is a non-res-
ident of the state of Va.

Given under my hand and seal this
the 6th day of January 1871.

James W. Carr, Clerk J. P.

William Riley
vs. Affidavit.

George R. Letcher

State of Tennessee }
Claiborne County }

This day William Riley appeared before me and made oath in due form of law that on the 16th day of February 1864, he held a note or bond on George R. Fletcher for the sum of (\$160.00) one hundred and sixty dollars, which was due and payable on the 18th day of June 1863, and which had been executed by the said Fletcher and delivered to said affiant sometime in the year 1862, at which time it bore date. Affiant further states that on the day first above mentioned, viz, 16th Feb'y 1864, the said George R. Fletcher, met this affiant at the house of Elbert Overton in Hancock County Tennessee, and called upon the affiant for said note - affiant produced the said note, and the said Fletcher pretending that he wanted to pay it, asked to see it - affiant not suspecting Fletcher's motives, handed him the note to look at as he supposed; but the said Fletcher, when he got possession of said note in the manner above stated, very deliberately tore up and destroyed said note, remarking to affiant that he never intended to pay it.

Affiant further states that he cannot produce or make proof of said note or bond because of its destruction in the manner above stated - and that the same has not been paid or any part thereof -

Sworn to & subscribed
before me, the 31st December 1870 }
Clairborne Cook J. P. for Claiborne
County Tennessee.

Wm. Riley

Affidavit ... 15

Mr. Riley

128

George Fletcher

State of Tennessee }
Clabourn County } This day personally
appeared before me } the undersigned a Justice
of the Peace for said County. William Riley
and made oath in due form of law that
George R Fletcher is justly indebted to
him in the sum of one hundred and sixty
Dollars which became due & payable on the
18th of June 1863 and that he is also
indebted to him in the further ~~some~~ sum
sixty six Dollars which became due and
payable on the 2th day of August 1864
which last sum was for about Two Thirds
of a box of ^{fine} Tobacco weighing about sixty six
pounds taken from Riley's own house
by the said ~~George~~ Fletcher The latter sum
the said Riley is able to show in proof

Given under my hand and
seal This the 25th day of
February 1871

Sworn to and subscribed
before me on the 25th day of
February 1871

J. P. Spradlin
J. P. for said County

Wm Riley

Virginia At Rules held in the Clerk's Office of the County Court of
Lee County, on Monday, the 2nd day of January 1871.

William Riley ----- Plff }
against } In Chancery
George R. Fletcher + Jefferson Neff.... Defts. } on Foreign attach.

The object of this suit is to obtain a Decree against
the defendant Fletcher for the debt of \$160.⁰⁰ with legal inter-
est thereon from the 18th day of June 1863, and the price of
the Tobacco, in the Bill mentioned, and ^{to} subjecting a debt
due from defendant Neff to defendant Fletcher, or so much as
may be necessary, ^{which has been attached for the purpose} to the payment of the debts aforesaid due
the Plaintiff. And it appearing from an affidavit filed
in the cause, that the defendant Fletcher is a non-resident
of this Commonwealth, he is, therefore, ordered to appear here
within one month after due publication of this order, and
do what is necessary to protect his interest in this suit.

Attest James W. Orr clk
Teste James W. Orr clk

I certify that on Monday, the 16th day of January
1871 - that being Court-day, I posted a copy of the
above Rule at the front door of the Court House of Lee
County.
James W. Orr, clk

William Riley

vs. { order of publication

George R. Fletcher et al.

M. B. Overton.

Known all men by these presents that we William Riley, and
A. R. Surgenor are held and firmly bound unto the
Commonwealth of Virginia in the just and full sum of
One hundred dollars for the payment thereof well and
truly to be made to the said Commonwealth we bind our
selves our heirs Executors and Administrators jointly and
severally firmly by these presents, And we hereby
waive the benefit of our homestead Exemption as to this
obligation. Witness our hands and seals this the 19th day of
June 1871. The condition of the above obligation is such
that whereas in a certain suit now pending in the County
Court of Lee County between William Riley Plaintiff and
George R. Fletcher defendant, there has been a suggestion
by the defendant that the Plaintiff is a nonresident of this
Commonwealth, and security for costs required. Now if
the above bound William ^{Riley} shall well and truly pay all
such costs as may be awarded against him upon the trial
of said Cause, and all such fees as are now due, or may
hereafter become due the officers of this Court, then this
obligation to be void otherwise to remain in full force and
virtue.

Wm. Riley Seal
A. R. Surgenor Seal
M. B. Overton Seal

William Riley et al.

Lo. 3 Bond for costs

George R. Fletcher

(Paid by Riley as costs)



The Commonwealth of Virginia,



TO THE SHERIFF OF LEE COUNTY---GREETING:

WE COMMAND YOU TO SUMMON

George R. Fletcher & Jefferson Veff.

to appear before the Judge of our County Court for Lee County, at the Court-House, in the Clerk's Office, at Rules to be holden for said Court, on the ~~first~~ *March* Monday in *February* next, to answer a bill in Chancery, exhibited in our said Court, against *them* by *William*

Riley

And have then there this writ. Witness, *James W. Orr* JOHN B. WEST, Clerk of our said Court, at the Court-House, this *6th* day of *January* 1870, in the *75th* year of the Commonwealth.

James W. Orr Clerk.

122 P.
William Riley

vs J. Spa in chg.

George R. Fletcher et al

Voluntary Rules 1871.

Executed the 11th of January
1871 at 10 o'clock A.M. by deli-
vering to Jefferson Neff
an attested office copy of
the within Spa with the
accompanying order endorsed
thereon. W. L. Hamblin
S. J. C.

Not Executed on George
R. Fletcher he being a non-
resident of this Communal
th. W. L. Hamblin S. J. C.

(Tax Paid.)

I do not know the defendant Jefferson Neff from paying to George R.
Fletcher his account, or at least any money to which he was entitled.
The said Fletcher could not produce any of said money.
date passed R. C. C. C.

The Commonwealth of Virginia,

^{again}
WE COMMAND YOU TO SUMMON *George R Fletcher, and Jefferson Neff.*

TO THE SHERIFF OF LEE COUNTY—GREETING:

to appear before the Judge of our County Court, for Lee County, at the Court-House, in the Clerk's Office, at Rules to be holden for said Court, on the first Monday in *March* next, to answer a bill in Chancery, exhibited in our said Court, against *them* by *William Riley.*

And have then there this writ. Witness ^{*James*} ~~JOHN~~ W. ORR, Clerk of our said Court, at the Court-House, this *25th* day of *February* 1871, in the *95th* year of the Commonwealth.

James W Orr. Clerk.

The Plaintiff in this suit having made the proper affidavit, it is ordered that the officer serving this process, do attach such debts as are already due, or to become due to the defendant George R Fletcher (who is a non-resident of the Commonwealth of Virginia) from the other defendant, Jefferson Neff. Also any other estate of the said defendant Fletcher, whether in his own hands, or in the hands of the other defendant Jefferson Neff, to answer the future order of court.

Leslie James Orr, Clerk.

H. & P.

William Riley

vs. Alias & Co. Chancery

George R Fletcher et al.

March Rules 1871.

Executed by clerk of court
on official return of
March 4, 1871
per W. J. Hamblin, S. C.

(clerk 8)